

Indiana Civil Rights Commission
AGENCY MONTHLY REPORT
JUNE 2012



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Executive Director

Intake

The Intake section of the report shows the number of phone, web and/or mail inquiries received from the public. It also shows the number of jurisdictional complaints drafted and mailed. The number of signed complaints received for investigation is also reported.

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
Total Number of Inquiries	305	366	381	419	377	279							2127
Number of Complaints Drafted	61	69	64	103	103	72							472
% of inquiries drafted	20%	19%	17%	25%	27%	26%							22%
Employment	43	54	45	58	81	52							333
Real Estate	6	4	3	8	5	7							33
Public Accommodation	2	4	4	5	12	3							30
Credit	0	0	0	0	0	0							0
Education	3	2	3	3	5	4							20
Unknown	7	5	9	37	0	6							64
Number of Complaints Formalized	85	84	95	73	99	67							503
Employment	75	67	73	57	73	47							392
Transferred from EEOC*	23	17	7	1	4	0							52
Real Estate	4	8	14	6	16	6							54
Transferred from HUD**	1	2	1	1	5	1							11
Public Accommodation	6	4	5	8	7	12							42
Credit	0	0	0	0	0	0							0
Education	0	5	3	2	3	2							15

*EEOC sends cases to ICRC pursuant of the Deferral Program. These transfers are included in the total # of EEOC complaints formalized.

**Reflects cases retrieved from Teapots. These transfers are included in the total # of HUD complaints formalized.

Inquiries by Region

This section provides a breakdown of the inquiries received by each region.

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
Total Number of Inquiries by Region	305	366	381	419	377	279							2127
Region 1	40	51	38	53	46	44							272
Region 2	22	36	38	40	26	20							182
Region 3	11	13	22	31	22	14							113
Region 4	7	11	12	13	10	11							52
Region 5	132	146	156	158	148	110							850
Region 6	26	37	35	35	32	19							184
Region 7	18	12	18	21	29	16							114
Region 8	18	19	19	11	24	20							111
Region 9	17	19	16	28	27	19							126
Unknown	14	22	27	29	13	6							111

Region 1: Jasper, Lake, LaPorte, Newton, Porter, Pulaski and Starke

Region 2: St. Joseph, Elkhart, Marshall, Fulton, Kosciusko, Wabash, Cass and Miami

Region 3: LaGrange, Steuben, Noble, Dekalb, Whitley, Allen, Huntington, Wells and Adams

Region 4: White, Benton, Warren, Tippecanoe, Carroll, Clinton, Fountain and Montgomery

Region 5: Boone, Hamilton, Hendricks, Marion, Hancock, Morgan, Johnson and Shelby

Region 6: Howard, Grant, Blackford, Jay, Tipton, Madison, Delaware, Randolph, Henry, Wayne, Rush, Fayette, Union and Franklin

Region 7: Vermillion, Parke, Putnam, Vigo, Clay, Owen, Sullivan, Greene and Monroe

Region 8: Knox, Daviess, Martin, Lawrence, Gibson, Pike, Dubois, Orange, Crawford, Posey, Vanderburgh, Warrick, Spencer and Perry

Region 9: Brown, Bartholomew, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland and Washington

Unknown: If the location of the inquiry cannot be identified.

Investigation

The Investigation section shows the overall age of cases currently being investigated by the agency. Cases over 100 days in Real Estate or 180 days in all other cases could be in the Legal Department pending a decision. (Aged is >100 days in Real Estate and >180 days in all other cases).

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
% of Aged Cases by Area													
Employment	20%	20%	25%	22%	26%	27%							23%
Real Estate	0%	19%	12%	15%	0%	0%							8%
Public Accommodation	19%	22%	20%	25%	27%	13%							21%
Credit	0%	0%	0%	0%	0%	0%							0%
Education	14%	17%	20%	14%	35%	25%							21%
Open Cases by Area													
Employment	369	392	429	433	444	449							
Real Estate	53	47	47	41	52	41							
Public Accommodation	50	53	56	61	57	62							
Credit	0	0	0	0	0	0							
Education	20	24	27	28	25	27							

Closures

The Closure section indicates the number of cases closed and how the case was closed after a complete investigation. NPC = No Probable Cause, CWS = Closed with Settlement (Mediation Agreement), CW = Closed Withdrawal, AD = Administrative Dismissal (Lack of Jurisdiction, Failure to Cooperate/Locate), FO = Final Order.

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
Number of Cases Closed	62	42	46	73	64	66							353
Employment	42	27	31	55	45	38							238
Real Estate	10	13	13	13	3	21							73
Public Accommodation	7	1	2	2	12	5							29
Education	3	1	0	3	4	1							12
Credit	0	0	0	0	0	1							1
Type of Closure													
NPC	43	31	37	56	45	40							252
CWS	8	6	5	9	11	9							48
CW	3	1	2	4	5	6							21
AD	3	4	1	0	3	3							14
FO	5	0	1	4	0	8							18

Legal

The Legal section tracks cases receiving probable/reasonable cause, as well as provides information on active cases being handled by the Legal Department.

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
Probable/Reasonable Cause Findings	12	2	4	5	4	6							33
Employment	9	2	3	2	3	6							25
Real Estate	3	0	1	3	0	0							7
Public Accommodation	0	0	0	0	0	0							0
Education	0	0	0	0	1	0							1
Credit	0	0	0	0	0	0							0
Active Cases	45	48	44	49	54	59							
Employment	24	28	29	32	34	38							
Real Estate	9	9	7	9	11	12							
Public Accommodation	6	6	5	5	5	6							
Education	6	5	3	3	4	3							
Credit	0	0	0	0	0	0							
Average Age of Cases since NOF*													

*NOF (Notice of Finding). This includes cases that are now pending in state court.

Probable Cause Findings for the current month

This section provides detailed information on probable cause findings.

Abrams v. Comfort Suites is an employment case based on race. Complainant alleged that Respondent terminated her because she refused to report for work on her day off.

Taylor v. Elkhart Rehabilitation Center is an employment case based on sex. Complainant alleged that she was terminated because she was pregnant.

Gonzalez v. Showgirl One is an employment case based on sexual harassment. Complainant alleged that Respondent terminated her when she refused his sexual advances.

Kunce v. Specialized Transportation Inc. is an employment case based on disability. Complainant alleged that she was denied a reasonable accommodation.

McHenry v. Super 8 Motel is an employment case based on sexual harassment. Complainant alleged that she quit after Respondent failed to action when she complained about her supervisor sexually harassing her.

Bottomley v. Shelby's Animal Rescue d/b/a Red Wood Lodge is an employment case based on sex. Complainant alleged that she was terminated because she was pregnant.

Final Orders

This section provides information on cases that receive Final Orders by The Commission.

Rozelle v. Yorktown café is an employment case based on sexual harassment. Complainant alleged that she was subjected to sexual harassment. The case was closed with a settlement.

Rangel v. Aramark Facility Services is an employment case based on national origin. Complainant alleged that he was terminated because of his national origin. The case was closed with a settlement.

Murphy v. Frank and Mary, Inc. is an employment case based on sexual harassment. Complainant alleged that her hours were reduced because she refused Respondents sexual advances. The case was closed with a settlement.

Lofton o/b/o Lofton, Jr. v. North Putnam Community Schools is an education case based on race. Complainant alleged that his son was subjected to disparate discipline because of his race and sex. The case was closed with a settlement.

D. Chambers v. Donna & Richard Smith is a housing case based on race. Complainant alleged that Respondent evicted her because of her grandson's race. Respondent opted to have the case heard in court.

C. Chambers v. Donna & Richard Smith is a housing case based on disability. Complainant alleged that Respondent evicted him because of his grandson's race. Respondent opted to have the case heard in court.

Dever v. Orchard Hills is a housing case based on disability. Complainant alleged that Respondent refused to provide a reasonable accommodation. Respondent opted to have the case heard in court.

Dunnican v. Karoline Silke is a housing case based on disability. Complainant alleged that Respondent refused to rent to her because her mother is disabled. Respondent opted to have the case heard in court.

Legal Updates

This section provides information on legal news, passing or changes in law and other state and local laws affecting The Commission.

Articles of Interest:

Freeman Wilson: What will cause you to take your shoes off (May 31, 2012—Muncie Free Press)

<http://www.munciefreepress.com/node/25802>

Gary Mayor Karen Freeman Wilson, who is a former ICRC Director, was the keynote speaker at the Muncie Black Expo luncheon earlier this week. More than 300 people were in attendance, and many more are awaiting the kickoff of the 20th Annual Muncie Black Expo, which is expected to be bigger and better than ever before.

Pool access for the disabled sparks controversy (May 25, 2012—Associated Press)

<http://www.news-sentinel.com/apps/pbcs.dll/article?AID=/20120525/AP01/305259956>

The Obama administration is sidestepping an election-year confrontation with the hotel industry and other pool owners to give them more time to comply with access rules for the disabled.

Showgirl employee files sexual harassment complaint (May 24, 2012—WANE-TV 15 Fort Wayne)

<http://www.wane.com/dpp/news/local/employee-of-showgirl-files-sexual-harrassment-complaint>

Behind the doors of Showgirl One in Fort Wayne, an employee claims she's being sexually harassed by the owner. That led to the employee filing a complaint with the Indiana Civil Rights Commission in November of last year.

[New Summer Academic Program Unveiled for Refugee Students in Indianapolis](#) (Chinland Guardian.com, 6/6/2012)

[Domestic-partner benefits proposal introduced](#) (IBJ.com, 6/5/2012)

[Bullying of daughter spurs Indiana mother to act](#) (Indy Star, 6/5/2012)

[EEOC Seeks Public Input in Developing Strategic Enforcement Plan](#) (EEOC.gov, 6/5/2012)

[Criminal history information can no longer be used in a discriminatory way](#) (Muncie Star, 6/2/2012)

[Wal-Mart Settles EEOC Religious Discrimination Suit](#) (EEOC.gov, 6/1/2012)

[Minorities Wanted: FWPD Values Diversity Through New Recruit](#) Class (INC Now, 5/29/2012)

[4 refugees at North Side High School in top 10 of their class](#) (News-Sentinel, 5/26/2012)

[Indiana Parenting Institute forms partnership with Indiana Civil Rights Commission](#) (6/11/2012, Northwest Indiana Times)

The Indiana Civil Rights Commission (ICRC) and the Indiana Parenting Institute (IPI) announced today a new partnership aimed at enhancing service to Hoosier families in Lake County.

[Valparaiso to host civil rights seminar](#) (6/6/2012, Northwest Indiana Times)

The seminar, titled Working at the Intersection of State and Federal Anti-Discrimination Laws, is being conducted by the Indiana Civil Rights Commission and the City of Valparaiso's Advisory Human Relations Council on June 29th.

[Study examines link between multiple dimensions of discrimination and health in young adults](#) (6/12/2012, News Medical)

An Indiana University study found that teens and young adults who are members of multiple minority or disadvantaged groups face more discrimination than their more privileged peers and, as a result, report worse mental and physical health.

[Indiana ranks 13th in EEOC charges received by state](#) (5/22/2012, Association of Corporate Counsel)

For the first time ever, the Equal Employment Opportunity Commission (EEOC) released a state-by-state analysis of charges received. Indiana ranked 13th in the number of charges filed with the EEOC with a total of 2,940 charge filings in 2011. It is important to note that these statistics do not account for charges filed and processed solely by state agencies, such as the Indiana Civil Rights Commission.

Butler faces complex issues in Title IX compliance (6/20/2012, Indy Star)

<http://www.indystar.com/article/20120619/SPORTS0605/206190339/Butler-faces-complex-issues-Title-IX-compliance>

According to a May 3rd Federal Office of Civil Rights news release, women made up 59.6% of the university's full-time undergraduate students but accounted for only 36.5% of its 449 athletes. However, to remain in compliance with Title IX, NCAA schools only have to meet one of three prongs. So while they are not necessarily violating Title IX, women remain significantly underrepresented.

Radio Stations Play Student Creations (Butler University News, June 14, 2012)

<http://www.butler.edu/absolutenm/templates/?a=3601&z=22>

If the words “Don’t be skipped over, everyone has the right to fair housing” sound familiar, you might have heard them on your favorite radio station. Recently, more than two dozen radio stations have played the “Don’t be skipped over” public service announcement (PSA) created by 2012 Butler University graduates.

The students in the Seminar in Recording Industry capstone course have worked with the Indiana Civil Rights Commission (ICRC) over the past two years to write and produce 30-second radio public service announcements discouraging discrimination in housing, education and employment.

Housing Authorities Across U.S. Gearing up for Father’s Day (June 14, 2012)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2012/HUDNo.12-102

For the second consecutive year, hundreds of public housing authorities across the country hosted free events to celebrate Father’s Day. The U.S. Department of Housing and Urban Development (HUD) reports more than 300 local agencies (including several in Indiana) answered HUD’s call to host Father’s Day 2012. The purpose of Saturday’s celebration is fatherhood, family and to support dads in staying connected with their children.

Brandon Johnson To File Civil Lawsuit in Federal Court (May 31, WTHR Channel 13)

<http://www.theindychannel.com/news/31136827/detail.html>

Two years after a high-profile police brutality case, the family of Brandon Johnson is filing a civil rights lawsuit in federal court. The lawsuit names four IMPD officers.

Showgirl One owner has been charged (WANE-TV, Fort Wayne, June 22, 2012)

<http://www.wane.com/dpp/news/local/showgirl-one-owner-has-been-charged>